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Akio Watanabe

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EXAMINER

RAMPURIA, SATISH

ART UNIT

PAPER NUMBER

2191

NOTIFICATION DATE

DELIVERY MODE

04/03/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/015,899	Applicant(s) WATANABE ET AL.	
	Examiner SATISH S. RAMPURIA	Art Unit 2191	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-17, 23, 25-33, 35-40, 42-44 and 47 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-17, 23, 25-33, 35-40, 42-44 and 47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/30/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is in response to the amendment received on 01/11/2007.
2. The objection to specification is withdrawn in view of Applicant's amendment (11/17/2006).
3. The rejection under 35 U.S.C. §101 to claims 32 is withdrawn in view of Applicant's amendment.
4. Claims cancelled by the Applicant: 1-8, 18-22, 24, 34, 41, 45-46.
5. Claims pending in the application: 9-17, 23, 25-33, 35-40, 42-44, 47.

Response to Arguments

6. Appellant's arguments with respect to claim have been considered but are moot in view of the new ground(s) of rejection. Further, the indicated allowability of claims 18, 24, and 34 is withdrawn in view of the newly discovered reference(s). Rejections based on the newly cited reference(s) follow.

Claim Rejections - 35 USC § 101

7. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

8. Claims 17, 23, 25-31 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 17 directed to system of functional descriptive material per se, and hence non-statutory. There are no indications or suggestions in the specification

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(paragraph [0030] and [195-198] of the publication) or claims that would associate the recited software components in the claims with hardware elements of the electronic device. The recited components e.g., *a data sampling section... a sample data file generation section... a sample data presetting section...* of the claims can reasonably be interpreted as computer program modules/software per se as disclosed in the specification (paragraph [0030] and [195-198] of the publication). Therefore, the claims constitute computer programs representing computer listings per se. Such descriptions or expressions of the programs are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable storage device encoded with a computer program is a computer element, which defines structural and functional interrelationships between the computer program and the rest of the computer, that permits the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claim 23 and 25-31 contain "means-plus-function" limitations. However, it is noted that the specification (paragraph [0031-0032] and [220] of the publication) does not disclose any specific corresponding structure or equivalents thereof. Therefore, these claim limitations can reasonably be interpreted as computer program modules/software per se. The claims are directed to a system

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of functional descriptive material per se, and hence non-statutory. The claims recite means for reading... displaying... setting... of the claims can reasonably be interpreted as computer program modules/software per se as disclosed in the specification (paragraph [0031-0032] and [220] of the publication). The claims constitute computer programs representing computer listings per se. Such descriptions or expressions of the programs are not physical "things." They are neither computer components nor statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed elements of a computer, which permit the computer program's functionality to be realized. In contrast, a claimed computer-readable storage device encoded with a computer program is a computer element, which defines structural and functional interrelationships between the computer program and the rest Of the computer, that permits the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 9-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent No. 6,453,435 to Limon, Jr. et al. (hereinafter called Limon).

Per claim 9:

Limon discloses:

9. An inspecting apparatus for inspecting a performance of a variety of circuit baseboards, comprising:

a programmable logic device (PLD) (Here in Limon, there is no express teaching that there is "*a programmable logic device*". However, since the workstation 41 of Limon includes a processor 41 which has a logic built in to execute an operating system i.e., Windows 95, it is reasonable to conclude that it would be obvious to one of skills in the art that the processor 41 has a programmable logic device that allow the processor to function as described above. The system, of Limon is therefore the processor 41 which comes with a programmable logic device to perform the UUT testing (col. 5, lines 42-59). configured to inspect a circuit baseboard based upon a signal transmitted from the circuit baseboard (col. 2, lines 40-42 "*a coupling portion operative to facilitate a detachable operative coupling of the test station to a unit to be tested*" and col. 4, lines 61-63 "*The test station 23 includes a tester connector 36, to which can be releasable coupled a UUT connector 37 that is provided on tile UUT*");

a file storing device configured to store a plurality of PLD files (col. 2, lines 57-59 "*a memory portion which stores a program and a test file, the test file containing a*

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test definition which specifies at least one test operation to be carried out by the test station through the coupling portion”);

a correspondence assigning device configured to assign correspondence of a PLD file to a type of a circuit baseboard to be loaded with the PLD file (*col. 2, lines 57-59 “a memory portion which stores a program and a test file, the test file containing a test definition which specifies at least one test operation to be carried out by the test station through the coupling portion”);*

a registering memory configured to store information of the correspondence (*col. 2, lines 57-59 “a memory portion which stores a program and a test file...”);*

a displaying device configured to display a list of the circuit baseboards (*col. 3, lines 65-67 “FIG. 3 is a diagrammatic view of a main screen provided on a visual display which is a component of the test system of FIG. 1”);*

a determining device configured to determine a type of a circuit baseboard selected from the list via the displaying device (*col. 6, lines 39-43 “The bar code on the label 117 provides information such as a board number and part number, and also a serial number. The board number and part number have a one-to-one relationship to each other, and define a particular type of board”); and*

a PLD file specifying device configured to refer to the correspondence information of the registering memory (*col. 2, lines 55-63 “a memory portion which stores a program and a test definition, the test definition including a first portion and a second portion, the first portion specifying a first test operation to be carried out by the test station through the coupling portion and the second portion specifying a second test operation to be carried out by the test station through the coupling portion”)* and specify

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an applicable PLD file based upon the circuit baseboard type (*col. 2, lines 66-67 and col. 3, lines 1-2 “wherein the program causes the processor portion to permit an operator to selectively specify one of a first operational mode and a second operational mode, and causes the processor portion to access and process the test definition”*); and

a loading device configured to load the PLD with the applicable PLD file (*col. 2, lines 55-59 “a coupling portion operative to facilitate a detachable operative coupling of the test station to a unit to be tested; a memory portion which stores a program and a test definition”*).

Claims 10-11 is the apparatus claim corresponding to apparatus claim 9 and rejected under the same rational set forth in connection with the rejection of claim 9 above.

Per claim 12:

The rejection of any one of claims 9 to 10 is incorporated and further, Limon discloses:

12. The inspecting apparatus according to any one claims 9 to 10, further comprising:

an item list displaying device configured to display a list of items to be inspected (*col. 6, lines 39-43 “The bar code on the label 117 provides information such as a board number and part number, and also a serial number. The board number and part number have a one-to-one relationship to each other, and define a particular type of board”*);

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wherein said PLD file specifying device specifies an applicable PLD file in accordance with the inspection items selected from the item list (*col. 2, lines 55-63* “a coupling portion operative to facilitate a detachable operative coupling of the test station to a unit to be tested; a memory portion which stores a program and a test definition”).

Per claim 13:

The rejection of any one of claims 9 to 10 is incorporated and further, Limon discloses:

13. The inspecting apparatus according to any one claims 9 to 10, further comprising:

an inspection item extracting device configured to extract an inspection item from a program file to be inspected (*col. 9, lines 33-36* “the archive file on the hard disk drive 28 of the server 16 will be accessed, and appropriate files therefore will be extracted from the archive file and downloaded to appropriate subdirectories 113 and/or 136-138 on the hard disk drive 52 of the test station 23”);

wherein, said PLD file specifying device specifies an applicable PLD file in accordance with the inspection items extracted by the inspection item extracting device (*col. 9, lines 33-36* “the archive file on the hard disk drive 28 of the server 16 will be accessed, and appropriate files therefore will be extracted from the archive file and downloaded to appropriate subdirectories 113 and/or 136-138 on the hard disk drive 52 of the test station 23”).

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Per claim 14:

The rejection of any one of claims 9 to 10 is incorporated and further, Limon discloses:

14. The inspecting apparatus according to any one of claims 9 to 10, further comprising:

a load completed PLD file determining device configured to determine if a prescribed PLD file has been loaded in a PLD currently performing inspection (*col. 18, lines 30-34 "When the system is processing a PRG or MAC file and reaches a command which has been designated as a breakpoint, the system stops and waits for operator authorization to proceed with processing of the breakpoint command"*); and

an additional PLD file specifying device configured to specify at least one unused PLD file lacking for an inspection receiving circuit baseboard (*col. 7, lines 59-61 "Each type of unit to be tested is associated with a respective PRG file, which defines the sequence of test operations that are to be conducted on each unit of that type"*), based upon the determination of the load completed PLD file determining device when a different type of a circuit baseboard is to be inspected (*col. 10, lines 20-26 "the system displays information regarding the unit which is currently being tested. In particular, in region 161, the system displays an alphanumeric "Test Board" name for the specific type of unit currently being tested"*);

wherein said PLD file specifying device reads a PLD file determined as lacking from the PLD file storing device (*col. 2, lines 57-59 "a memory portion which*

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stores a program and a test file, the test file containing a test definition which specifies at least one test operation to be carried out by the test station through the coupling portion”), and said loading device deletes a PLD file determined as being disused in the PLD (col. 2, lines 55-59 “a coupling portion operative to facilitate a detachable operative coupling of the test station to a unit to be tested; a memory portion which stores a program and a test definition”).

Per claim 15:

The rejection of claim 14 is incorporated and further, Limon discloses:

15. The inspecting apparatus according to claim 14, further comprising a log obtaining device configured to obtain log information when said PLD is loaded with the PLD file (col. 7, lines 54-56 “The LogFiles subdirectory 140 includes at least one log file, which is used to store the results of certain test operations”), wherein said load completed PLD file determining device determines if the PLD file has been loaded to the PLD of the inspection circuit based upon the log information (col. 9, lines 33-36 “the archive file on the hard disk drive 28 of the server 16 will be accessed, and appropriate files therefore will be extracted from the archive file and downloaded to appropriate subdirectories 113 and/or 136-138 on the hard disk drive 52 of the test station 23”).

Per claim 16:

The rejection of any one of claims 9 to 10 is incorporated and further, Limon discloses:

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16. The inspecting apparatus according to any one of claims 9 to 10, further comprising a circuit baseboard type determining device configured to determine sameness of successive circuit baseboards, wherein the PLD used in the inspection for the former circuit baseboard inspects the latter one when said sameness determination is positive (*col. 17, lines 19-23 "at block 246, the system checks to see if the UUT 13 passed all of the tests which were conducted on it. If so, control proceeds to block 247, where the system turns on the PASS indicator 154, for example by changing the letters "PASS" from a subdued color such as black to a noticeable color such as green"*).

11. Claim 17 rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese patent Application No. 10-216946 to Miyata et al. (hereinafter called Miyata) in view of Limon.

Per claim 17:

Miyata discloses:

A general-purpose inspecting system having a log function of filing inspection resultant as a log file to be analyzed, said general-purpose inspecting system comprising:

a data sampling section configured to sample only necessary information from said log file as sample data (*paragraph [0014] "The log extraction information file 11 stores extraction environment of log data. The log file 12 stores extracted log data"*);
and

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a sample data file generation section configured to generate a sample file having a smaller size than a size of the log file (*paragraph [0019] "An output destination change file, an output destination change file size, etc. of log data are acquired, and log data which the application program 10 generated is extracted by storing in the log file"*), said sample data file storing the sampled data (*paragraph [0021] "log data that the application program 10 generates may be passed... to perform extraction processing and only what is needed may be passed (i.e., only sampled data)"*); and a sample data presetting section configured to preset prescribed information to be sampled from the log file (*paragraph [0021] "log data needed can be extracted now from the ability of extraction environment of log data... extraction processing of good data"*), wherein said sample data file generation section automatically generates a sample data file on the basis of the prescribed information after prescribed inspection is completed (*paragraph [0026] "log data which the log data output library 24 outputs is extracted referring to the log extraction information"*).

Miyata does not explicitly disclose a inspection resultant log files.

However, Limon discloses in an analogous computer system an inspection resultant log files (*col. 7, lines 54-56 "The LogFiles subdirectory 140 includes at least one log file, which is used to store the results of certain test operations"*).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to incorporate the method of an inspection resultant log files as taught by Limon into the method of log data sampling processing as taught by Miyata. The modification would be obvious because of

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one of ordinary skill in the art would be motivated to have an inspection resultant log files to provide the each and every activities of device under test for further evaluations.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

13. Claims 23, 25-33, 35-40, 42-44 and 47 are rejected under 35 U.S.C. 102(e) as being anticipated by Limon.

Per claim 23:

Limon discloses:

23. A general-purpose inspecting system for inspecting an object connected to an input/output interface using a command, comprising:

a software recombining section configured to recombine a software of inspection use in accordance with a type of the object (*col. 2, lines 54-59 "a test station which includes: a coupling portion operative to facilitate a detachable operative coupling of the test station to a unit to be tested; a memory portion which stores a*

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program and a test file, the test file containing a test definition which specifies at least one test operation to be carried out by the test station through the coupling portion”);

and

means for reading inspection progress information related to the object during simulation, said means for reading displays a resultant on a screen of a display unit (*col. 3, lines 26-28 “an output portion through which information can be communicated to an operator, the output portion including a video display”*); and

means for displaying respective inspection items to be inspected on the screen in an order of the execution (*col. 16, lines 47-51 “output successive messages to the workspace 151 of the main screen 146 (FIG. 3), to indicate whether each test operation conducted on the UUT 13 has passed or failed”*); and

means for selectively setting and resetting a breakpoint, said breakpoint halting inspection of a corresponding item (*col. 18, lines 30-34 “When the system is processing a PRG or MAC file and reaches a command which has been designated as a breakpoint, the system stops and waits for operator authorization to proceed with processing of the breakpoint command”*),

wherein the inspection operation configured to continuously inspect items one after another is halted where the breakpoint is set by the means for selectively setting and resetting (*col. 18, lines 30-34 “When the system is processing a PRG or MAC file and reaches a command which has been designated as a breakpoint, the system stops and waits for operator authorization to proceed with processing of the breakpoint command”*).

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Per claim 25:

The rejection of claim 23 is incorporated and further, Limon discloses:

25. The system according to claim 23, wherein said means for setting and resetting is set in a unit of a command used in the inspection (*col. 18, lines 30-34* “*When the system is processing a PRG or MAC file and reaches a command which has been designated as a breakpoint, the system stops and waits for operator authorization to proceed with processing of the breakpoint command*”).

Per claim 26:

The rejection of either one of claims 23 or 25 is incorporated and further, Limon discloses:

26. The system according to either one of claims 23 or 25, further comprising means for individually inspecting prescribed items based on an instruction (*col. 18, lines 30-34* “*When the system is processing a PRG or MAC file and reaches a command which has been designated as a breakpoint, the system stops and waits for operator authorization to proceed with processing of the breakpoint command*”).

Per claim 27:

The rejection of claim to 25 is incorporated and further, Limon discloses:

27. The system according to claim 25, further comprising means for acquiring and means for displaying inspection receiving data related to the inspection object on the screen when said inspection is halted (*col. 18, lines 55-57* “*In order to*

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specify that a particular command is to be a breakpoint, the operator selects the line which contains that command, for example by clicking on that line through use of the mouse 46 (FIG. 1).”).

Per claim 28:

The rejection of claim 27 is incorporated and further, Limon discloses:

28. The system according to claim 27, further comprising means for changing said inspection receiving data displayed on the screen based on an input (*col. 18, lines 55-57 “In order to specify that a particular command is to be a breakpoint, the operator selects the line which contains that command, for example by clicking on that line through use of the mouse 46 (FIG. 1).”).*

Per claim 29:

The rejection of claim 28 is incorporated and further, Limon discloses:

29. The system according to claim 28, further comprising means for storing said inspection receiving data in a storage device (*col. 2, lines 57-59 “a memory portion which stores a program and a test file, the test file containing a test definition which specifies at least one test operation to be carried out by the test station through the coupling portion”).*

Per claim 30:

The rejection of claim 29 is incorporated and further, Limon discloses:

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30. The system according to claim 29, further comprising means for replacing inspection receiving data presently displayed on the screen with the inspection receiving data stored in the storage device (*col. 3, lines 65-67 "FIG. 3 is a diagrammatic view of a main screen provided on a visual display which is a component of the test system of FIG. 1"*).

Per claim 31:

The rejection of claim 23 is incorporated and further, Limon discloses:

31. The system according to claim 23, wherein said means for reading functions to debug and analyze the inspection receiving data (*col. 17, lines 43-49 "debug mode is enabled... while a test is being carried out...can be used to develop and/or debug a PRG or MAC file, or to make temporary modifications to a PRG or MAC file for the purpose of isolating an elusive problem in a particular unit being tested"*).

Claim 32 is the computer readable storage medium claim corresponding to system claim 23 and rejected under the same rational set forth in connection with the rejection of claim 23 above.

Claims 33 and 35-40 are the method claim corresponding to method claims 23 and 25-30 and rejected under the same rational set forth in connection with the rejection of claims 25-30 above.

Per claim 42:

Limon discloses:

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42. A general-purpose inspecting system, comprising:

a controlled device configured to perform a prescribed function (*col. 3, lines 48-50 "a control portion which is operatively coupled to the coupling portion and the reader portion"*);

an interface section configured to indicate a status of the controlled device (*col. 3, lines 26-28 "an output portion through which information can be communicated to an operator, the output portion including a video display" and FIG. 7 and related discussion*);

a control processor configured to inspect the controlled device by transmitting a prescribed command to the controlled device (*col. 18, lines 30-34 "When the system is processing a PRG or MAC file and reaches a command which has been designated as a breakpoint, the system stops and waits for operator authorization to proceed with processing of the breakpoint command"*); and

means for determining in advance to transmission of the prescribed command (*col. 5, lines 65-67 "test station 23 also includes an optical power meter instrument 86, which has inputs coupled to the GPIB bus 8".) whether an execution result of command processing (col. 7, lines 54-56 "LogFiles subdirectory 140 includes at least one log file, which is used to store the results of certain test operations") will be abnormal (col. 6, lines 4 "error detection portion 88") by accessing the interface section and acquiring information of status of the controlled device (col. 5, lines 53-55 "workstation 41 includes a circuit 81, which is a General Purpose Interface Bus (GPIB) interface circuit, and which interfaces the workstation 41 to a GPIB bus 82").*

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Per claim 43:

The rejection of claim 42 is incorporated and further, Limon discloses:

43. The system according to claim 42, further comprising means for indicating the status of the controlled device by polling the interface section (*col. 18, lines 55-57 "In order to specify that a particular command is to be a breakpoint, the operator selects the line which contains that command, for example by clicking on that line through use of the mouse 46 (FIG. 1)."*) Note that from specification [0244] it was understood that polling is an interruption process.

Per claim 44:

The rejection of claim 42 is incorporated and further, Limon discloses:

44. The system according to claim 42, further comprising means for indicating the status of the controlled device by causing an interrupt from the interface section (*col. 18, lines 55-57 "In order to specify that a particular command is to be a breakpoint, the operator selects the line which contains that command, for example by clicking on that line through use of the mouse 46 (FIG. 1)."*).

Per claim 47:

Limon discloses:

Claim 47 (Previously Presented): A general-purpose inspecting method, comprising the steps of:

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awaiting user input (*col. 12, lines 19-20 "system waits for the operator to... begin a test"*);

transmitting a prescribed command to a controlled device (*col. 12, lines 18-20 "once the operator starts the test (e.g., by pressing the Start Test button which sends command to start the test), control proceed to block 203"*);

causing the controlled device to execute processing the prescribed command (*col. 12, lines 20-21 "the system prompts operator to use the barcode reader (e.g., Start Test button causes the system to execute the command to prompt the user to scan the barcode or UUT)"*);

receiving a prescribed command resultant (*col. 12, lines 23-24 "the information (result) obtained from the barcode label"*);

displaying a content of the prescribed command resultant at a control processor site (*col. 12, lines 25-27 "the information (result) obtained from the barcode label... which the system will then display"*);

determining if a transient phenomenon occurs when a controlled device transmits

acknowledge (*col. 4, lines 29-31 "FIG. 7, and two additional windows which each display information passing to and from a test unit through respective ports of the test system of FIG. 1"*);

repeatedly transmitting the prescribed command until the transient phenomenon is terminated from said controlled device (*col. 12, lines 28-30 "operator scans the barcode label...prompts the operator to couple the connector 37 on the UUT 13 to the tester connector 36 on the UUT 13" Here in Limon transient phenomenon would be*

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communication between the UUT and the test station 23, once UUT 13 is connected to the test station, the test station inherently acknowledges the UUT and terminates the looking for the UUT commands i.e., as done in RS232 connection”); and

awaiting user input after termination of the transient phenomenon (col. 12, lines 30-31 “prompts the operator to couple the connector on the UUT... and waits for the operator” Here in Limon the transient phenomenon would be communication between the UUT and the test station 23, once the UUT is connected to the test station 23 system waits for the operator”).

Conclusion

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Satish S. Rampuria** whose telephone number is **(571) 272-3732**. The examiner can normally be reached on **8:30 am to 5:00 pm** Monday to Friday except every other Friday and federal holidays.

Any inquiry of a general nature or relating to the status of this application should be directed to the **TC 2100 Group receptionist: 571-272-2100**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Wei Y. Zhen** can be reached on **(571) 272-3708**. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

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